

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:	§
	§
GERALD DYER, II,	§ CASE NO. 08-42815-BTR-7
DEBTOR.	§
	§
DAIMLERCHRYSLER FINANCIAL	§
SERVICES AMERICAS L.L.C.,	§
MOVANT	§
	§
VS.	§
	§
GERALD DYER, II	§
RESPONDENT.	§

AGREED ORDER SURRENDERING DEBTOR'S INTEREST
IN ONE 2007 DODGE RAM 2500

There came on for consideration before this Court this Agreed Order Surrendering Debtor's Interest between DaimlerChrysler Financial Services Americas L.L.C. ("DaimlerChrysler") and Gerald Dyer, III ("Debtor"). The parties have reached an agreement as evidenced by the signatures of their respective attorney of record on this Order.

1. The Debtor has indicated to DaimlerChrysler, through its counsel, that he/she intends to surrender his/her interest in the 2007 Dodge Ram 2500, vehicle identification number 1D7KS28C97J526036 ("Collateral"). DaimlerChrysler assigned this debt an account number ending in 0520.

2. The automatic stay is terminated as to the Collateral. DaimlerChrysler understands that the co-buyer on this account, Gerald Dyer, III, has possession of and is making the payments on the account. The automatic stay is terminated immediately as to the Collateral, and if there is a contractual default with regard to the Collateral, DaimlerChrysler may repossess and sell the vehicle without further notice to the Debtor(s), the Trustee or any other party in interest. DaimlerChrysler

may also obtain all writs and other court orders necessary to obtain possession of the Collateral in the event it is not voluntarily surrendered by Debtor(s), without the necessity of sending a notice to the Debtor(s) of the intention to accelerate the debt or of the intention to repossess the Collateral.

3. This Agreed Order is effective immediately and is not stayed for ten days following the entry of this Agreed Order.

In the event that the proceeds received from sale of the Collateral exceeds the balance due to DaimlerChrysler, plus interest, costs of sale and attorneys fees, the surplus shall be turned over to the Trustee, unless the Trustee has filed an application to close the case, in which event any proceeds received from sale of the Collateral exceeds the balance due to DaimlerChrysler, plus interest, costs of sale and attorneys fees, the surplus shall be turned over to the Debtor.

IT IS SO ORDERED.

UNITED STATES BANKRUPTCY JUDGE

APPROVED AS TO SUBSTANCE AND FORM:

/s/ Ginger Colville
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Debtor

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